

# **PLANNING BOARD MINUTES**

**July 9, 2008**

**Board members present:**

**Art Weber, Chairman   Ron Wolanski, Town Planner**

**Jan Eckhart, Vice Chairman   Frank Holbrook, Town Solicitor**

**Richard Adams   David dosReis, Principal Planner**

**Frank Forgue**

**Gladys Lavine**

**Betty Jane Owen**

**Member absent:**

**Audrey Rearick**

**The meeting was called to order at 6:30 pm.**

**Minutes**

**Motion by Ms. Owen, seconded by Mr. Forgue, to approve the minutes for the regular meeting of June 11, 2008. Vote: 6-0-0.**

**Old Business**

**1. George Lewis, Request for extension of Final Subdivision Plan approval. 4-lot minor subdivision, Trout Dr., Plat 125, Lot 935.**

**The applicant was not present.**

**Mr. Wolanski described the request for a 6-month extension of the subdivision approval, and referenced the letter from the applicant,**

dated June 19, 2008. The applicant is working to satisfy the conditions of approval to allow for recording of the plan.

Motion by Mr. Adams, seconded by Ms. Owen, to approve a six-month extension of the final subdivision plan approval. Vote: 6-0-0.

2. Request of the Town Council for an advisory recommendation on a proposal to amend the Middletown Zoning Ordinance Section 603 regarding dimensional regulations in the Office Park (OP) zoning district.

Mr. Wolanski stated that, as requested by the Planning Board at their June 11th meeting, he had received a proposed scope of work from the Town's consulting engineer, PARE Corporation, for a study of the potential impact of the proposed zoning amendments. The scope, dated June 30, 2008, was forwarded to the Planning Board, as well as attorney David Martland, who represents some Aquidneck Corporate Park property owners, and attorney Gregory Fater who represents Ocean View Drive home owners.

Mr. Wolanski stated that after reviewing the proposed scope he feels that it should be revised to better address the questions that were raised by the Board. He spoke with Mr. Martland and Mr. Fater earlier in the day, both of whom agreed with the assessment. Mr. Wolanski stated that he has spoken with Ms. Sherrill, PARE's project manager, about the necessary revisions, and that a revised scope of work will be provided as soon as possible.

Mr. Wolanski suggested that the Board may wish to hold a special meeting once the revised scope is provided, rather than wait until the August 13th regular meeting.

**The Board agreed that a special meeting should be scheduled once the revised scope is provided.**

**Mr. Weber asked Mr. Martland if he is comfortable with this course of action.**

**Mr. Martland stated that he agreed that the proposed scope of work that had been provided did not adequately address the questions raised by the Planning Board. He indicated that he was comfortable with the proposed course of action.**

**Motion by Ms. Owen, seconded by Mr. Forgue, to continue this matter to a special meeting to be scheduled once the revised scope of work is provided. Vote: 6-0-0.**

**3. Request of Peter Gallipeau for consideration of proposed amendments to Article 7 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land relating to performance guarantees**

**The Town Solicitor, Mr. Holbrook, stated that he has provided proposed amendments to address, in part, concerns raised by Mr. Gallipeau.**

**Mr. Wolanski stated that he had some comments on the proposed amendments.**

**Mr. Gallipeau stated that he had not had a chance to review the proposed amendments.**

**The Board requested that Mr. Wolanski coordinate the review of the draft and produce a final draft for consideration at a public hearing on August 13, 2008.**

**Motion by Mr. Eckhart, seconded by Ms. Owen, to continue this**

matter for public hearing during the August 13, 2008 regular Planning Board map. Vote: 6-0-0.

#### **4. Discuss status of draft Inclusionary Housing ordinance**

Mr. Wolanski stated that he is continuing work to revise the draft ordinance to make it an incentive based program as was requested by the Planning Board at its June 2008 meeting.

By consensus the Planning Board continued the matter to the August 13, 2008 regular Planning Board meeting.

#### **New Business**

#### **5. William J. & Elizabeth Gill, Proposed 2-lot minor subdivision, 1669 West Main Rd., Assessor's Plat 111, Lot 13**

Attorney David Martland represented the applicant.

Mr. Weber stated that the plan would result in lots that do not meet the dimensional requirements of the zoning ordinance in order to provide separate lot for each of two existing dwellings. Since there is no proposal for new development as a result of the plan, he suggested that the board consider conditional approval subject to the necessary zoning relief.

Other members indicated their agreement with the proposal for conditional approval.

Mr. Wolanski stated that the application remains incomplete and the Board may wish to require that outstanding items, listed in his memo of July 2, 2008, be addressed as conditions of approval.

Mr. Martland stated that he will request a waiver of the requirement to show 2-foot contours on the plan since no new development is proposed.

**The Board indicated its willingness to waive the requirement for 2-foot contours.**

**Motion by Mr. Adams, seconded by Ms. Owen, to grant conditional preliminary subdivision plan approval subject to the following conditions:**

- 1. The plan would result in the creation of lots that do not conform to the dimensional requirements of the Middletown Zoning Ordinance. Relief granted by the Zoning Board of Review would be required prior to final approval.**
- 2. Certification from the tax collector indicating that taxes on the subject property are current must be provided.**
- 3. Certification by the surveyor that the plan conforms to a class 1 survey must be provided.**
- 4. Property lines, zoning district, and ownership of properties across West Main Rd. from the subject property must be provided on the plan.**
- 5. Location of any existing and proposed utility and access easements must be shown on the plan.**
- 6. Location of existing and proposed utilities must be shown in plan. Specifically, the location of the water and sewer/septic system serving proposed Parcel B, and the water service to Parcel A should be shown on the plan.**

**Vote: 6-0-0**

**6. Request of the Zoning Board of Review for an advisory recommendation, pursuant to Zoning Ordinance Section 2502, on an application by Omnipoint Communications for installation of a**

**wireless telecommunications facility at 317 West Main Rd. (Hampton Inn), Plat 108, Lot 131.**

**Attorney Brian Grossman, representing the applicant, described the proposal for disguised antennas on the roof of the subject building. Equipment would be contained in a shelter on the ground.**

**Mr. Wolanski asked if the antennas need to be disguised as vent pipes.**

**The applicant stated that the disguised antennae are substantially smaller than standard antennae.**

**Motion by Mr. Eckhart, seconded by Ms. Owen, to forward a positive recommendation to the Zoning Board of Review on the proposed special use permit application. Vote: 6-0-0**

**Motion by Ms. Owen, seconded by Mr. Adams, to adjourn. Vote: 6-0-0**

**The meeting adjourned at 6:55pm**